

**DISSENTING STATEMENT OF  
COMMISSIONER MICHAEL J. COPPS**

*Re: AMFM Radio Licenses, L.L.C., Licensee of Station WWDC-FM, Washington, D.C.; Clear Channel Broadcasting Licenses, Inc., Licensee of Station WRXL(FM), Richmond, Virginia; Capstar TX Limited Partnership, Licensee of Station WOSC(FM), Bethany Beach, Delaware; Notice of Apparent Liability for Forfeiture*

In this case, three Clear Channel stations aired graphic and explicit sexual content on nine different occasions -- including the use of sexual material in promotional rebroadcasts. Clear Channel has been the subject of repeated indecency actions at the FCC, and this show in particular has been the subject of previous complaints. Yet, notwithstanding the repeated nature of Clear Channel's transgressions, the majority proposes a mere \$27,500 fine for each incident. Such a "cost of doing business fine" is never going to stop the media's slide to the bottom.

For repeat offenders as in this case, I believe the Commission should have designated these cases for license revocation hearings. I recognize that Clear Channel has taken some steps in recent days to address indecency on its stations. A hearing would have provided the Commission with the ability to consider what actions the stations took in response to these broadcasts and to decide on the appropriate penalty.

I am discouraged that my colleagues would not join me in taking a firm stand here against indecency on the airwaves. The time has come for the Commission to send a message that it is serious about enforcing the indecency laws of our country. That message has yet to go forth.